

Responding to Requests or Providing Information to Outside Agencies Policy

Approved:

Date: April 2015



I. Policy

On occasion an office within the Nebraska Probation System may be contacted by outside individuals or agencies seeking information regarding address, telephone number, employment or other personal information relating to the whereabouts or status of a probationer under our supervision or investigation.

At all times staff shall safeguard information. Any time a request for such information is received, the Chief Probation Officer and/or their designee shall be notified and will provide direction regarding further action.

If the request for information relates to active, verified warrants, other valid Court-orders, on-going investigations that are matters of national security or critical to public safety or a vulnerable person's welfare, requested information should be released.

At no time shall any staff of the Nebraska Probation System make direct contact with outside agencies and provide unsolicited information relating to the probationer or individual under investigation unless it is in the interest of preventing an act of self-harm or protecting potential victims of crime.

II. Purpose

To provide guidance on when and what personal information can be released when requested by outside Court and Law Enforcement agencies.

III. Reference

[Neb. Rev. Stat. § 29-2261](#), Presentence investigation, when; contents; psychiatric examination; persons having access to records; reports authorized

[Neb. Rev. Stat. § 29-2266](#), Probation; violation; procedure

[Knights, 534 U.S., at 120](#)

[Sampson v. California 547 U.S. \(2006\)](#)

IV. Procedure

A. Any time probation staff receives and verifies a valid warrant or other order calling for the arrest and/or detention of a probationer they:

1. If a valid warrant or other verifiable authorization for arrest or detention exists, probation staff may notify law enforcement in advance of scheduled appointments or programming and have the warrant executed at the probation office or other prearranged location.

2. All efforts shall be maintained to protect the safety of all others in the area in which the arrest will take place to include the probationer, probation staff, other probationers and the general public.
- B. Address and other contact information included in the official court record shall be considered public record and is therefore releasable as requested. Types of releasable public information includes but is not limited to:
1. The probationer's address IF listed on the Order of Probation and/or clearly discernable in Justice, through the local County Assessor or County Treasurer's websites.
 2. However, if at any time the probationer were to change addresses and their current address are no longer in line with the information listed above in this paragraph, this information is no longer considered to be public information and it is therefore no longer releasable.
- C. Permissible information to be released as qualified above includes the probationers address, telephone number and next scheduled appointment time. Additional information may be considered for release (employment, etc.) if it is deemed pertinent per the requesting agency, such as child support enforcement verifying information relating to a verified Court Order.
1. Information relating to victims, treatment agencies, counseling, medical appointments, etc. shall not be released without a Court Order or duly exercised release of information executed by the Probationer or person under investigation unless any of the above are believed to be an intended victim of a crime.